

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**LG.PHILIPS LCD CO., LTD.,**

**Plaintiff,**

**v.**

**CHI MEI OPTOELECTRONICS  
CORPORATION; AU OPTRONICS  
CORPORATION; AU OPTRONICS  
CORPORATION AMERICA; TATUNG  
COMPANY; TATUNG COMPANY OF  
AMERICA, INC.; VIEWSONIC  
CORPORATION; AND CHI MEI  
OPTOELECTRONICS USA, INC.,**

**Defendants.**

**AU OPTRONICS CORPORATION,**

**Counterclaim Plaintiff,**

**v.**

**LG.PHILIPS LCD CO., LTD., AND  
LG.PHILIPS LCD AMERICA, INC.,**

**Counterclaim Defendants.**

**Civil Action No. 1:06-cv-00726-JJF**

**JURY TRIAL DEMANDED**

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**LG.PHILIPS LCD AMERICA, INC.'S ANSWER IN RESPONSE TO AU  
OPTRONICS CORPORATION'S COUNTERCLAIM AGAINST PLAINTIFF  
LG.PHILIPS LCD CO., LTD. AND ADDITIONAL PARTY LG.PHILIPS LCD  
AMERICA, INC.**

Defendant LG.Philips LCD America, Inc. ("LPLA"), by and through their undersigned counsel, hereby files its Answer in Response to the Counterclaims of AU Optronics Corporation ("AUO"), in the above titled action. A jury trial is demanded for all claims so triable.

**RESPONSE TO THE COUNTERCLAIM PARTIES**

1. LPLA admits the allegations of paragraph 1 of the Counterclaims.
2. LPLA admits the allegations of paragraph 2 of the Counterclaims.
3. LPLA admits the allegations of paragraph 3 of the Counterclaims.
4. LPLA denies the allegations of paragraph 4 of the Counterclaims.

**RESPONSE TO JURISDICTION AND VENUE**

5. LPLA admits the allegations of paragraph 5 of the Counterclaims.
6. LPLA admits the allegations of paragraph 6 of the Counterclaims.
7. LPLA admits the allegations of paragraph 7 of the Counterclaims.
8. LPLA admits the allegations of paragraph 8 of the Counterclaims.
9. LPLA admits that venue is proper and admits that LPLA sells LCD

modules designed and manufactured by LPL. LPLA denies the remaining allegations of paragraph 9 of the Counterclaims.

**RESPONSE TO COUNTERCLAIM COUNT ONE**

10. LPLA admits that Exhibit A to the Counterclaims purports to be a copy of United States Patent No. 6,976,781, entitled “Frame and Bezel Structure for Backlight Unit” (the “‘781 patent”), but LPLA lacks knowledge or information sufficient to admit or deny the remaining allegations of paragraph 10 of the Complaint, and therefore denies them.

11. LPLA denies the allegations in paragraph 11 of the Complaint.
12. LPLA denies the allegations in paragraph 12 of the Complaint.
13. LPLA denies the allegations in paragraph 13 of the Complaint.

### **RESPONSE TO COUNTERCLAIM COUNT TWO**

14. LPLA admits that Exhibit B to the Counterclaims purports to be a copy of United States Patent No. 6,778,160, entitled “Liquid-Crystal Display, Liquid-Crystal Control Circuit, Flicker Inhibition Method, And Liquid-Crystal Driving Method” (the “‘60 patent”), but LPLA lacks knowledge or information sufficient to admit or deny the remaining allegations of paragraph 14 of the Complaint, and therefore denies them.

15. LPLA denies the allegations in paragraph 15 of the Complaint.

16. LPLA denies the allegations in paragraph 16 of the Complaint.

17. LPLA denies the allegations in paragraph 17 of the Complaint.

### **RESPONSE TO COUNTERCLAIM COUNT THREE**

18. LPLA admits that Exhibit C to the Counterclaims purports to be a copy of United States Patent No. 6,689,629, entitled “Array Substrate for Display, Method of Manufacturing Array Substrate for Display and Display Device Using the Array Substrate” (the “‘629 patent”), but LPLA lacks knowledge or information sufficient to admit or deny the remaining allegations of paragraph 18 of the Complaint, and therefore denies them.

19. LPLA denies the allegations in paragraph 19 of the Complaint.

20. LPLA denies the allegations in paragraph 20 of the Complaint.

21. LPLA denies the allegations in paragraph 21 of the Complaint.

### **RESPONSE TO EXCEPTIONAL CASE**

22. LPLA denies the allegations in paragraph 22 of the Complaint.

### **RESPONSE TO PRAYER FOR RELIEF**

As to paragraphs A through K of the Prayer For Relief, LPLA denies that AUO is entitled to the requested relief.

**AFFIRMATIVE DEFENSES**

Without conceding that any of the following necessarily must be pleaded as an affirmative defense, or that any of the following are not already at issue by virtue of the foregoing denials, and without prejudice to LPLA's right to plead additional defenses as discovery into the facts of the matter warrants, LPLA hereby asserts the following affirmative defenses:

**FIRST AFFIRMATIVE DEFENSE**

23. AUO has failed to state a claim for which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE**

24. LPLA's products have not and do not infringe any claim of the Asserted AUO Patents, either literally or under the doctrine of equivalents.

**THIRD AFFIRMATIVE DEFENSE**

25. LPLA has not directly or indirectly contributed to infringement of, nor induced another to infringe the Asserted AUO Patents.

**FOURTH AFFIRMATIVE DEFENSE**

26. One or more claims of the Asserted AUO Patents are invalid for failing to meet one or more of the requisite conditions or requirements for patentability specified by 35 U.S.C. §§ 101, 102, 103, and/or 112.

**FIFTH AFFIRMATIVE DEFENSE**

27. Pursuant to 35 U.S.C. § 287(b), LPLA is not liable for damages for infringement under any section of 35 U.S.C. § 271 before receiving notice of AUO's allegations of infringement in this action.

**SIXTH AFFIRMATIVE DEFENSE**

28. AUO's claims are barred, in whole or in part, because of the affirmative defense of license.

June 25, 2007

THE BAYARD FIRM

/s/ Ashley B. Stitzer (as3891)  
Richard D. Kirk (#0922)  
Ashley B. Stitzer (#3891)  
222 Delaware Avenue, 9th Floor  
P.O. Box 25130  
Wilmington, DE 19899-5130  
(302) 655-5000  
rkirk@bayardfirm.com  
astitzer@bayardfirm.com

Attorneys for Counterclaim-Defendant  
LG.Philips LCD America, Inc.

OF COUNSEL:

Gaspare J. Bono  
R. Tyler Goodwyn  
Lora A. Brzezynski  
McKenna Long & Aldridge LLP  
1900 K Street, NW  
Washington, D.C. 20006  
(202) 496-7500

### CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on June 25, 2007, she served the foregoing documents by email and by hand upon the following counsel:

Edmond D. Johnson  
Thomas H. Kovach  
Pepper Hamilton LLP  
1313 Market Street, Suite 5100  
PO Box 1709  
Wilmington, DE 19899-1709

Karen L. Pascale  
John W. Shaw  
Young Conaway Stargatt & Taylor, LLP  
The Brandywine Building  
1000 West Street, 17th Floor  
P.O. Box 391  
Wilmington, DE 19899-0391

Philip A. Rovner  
Dave E. Moore  
Potter Anderson & Corroon LLP  
1313 North Market Street  
Wilmington, DE 19899-0951

William E. Manning  
Jennifer M. Becnel-Guzzo  
Buchanan Ingersoll & Rooney  
The Brandywine Building  
1000 West Street, Suite 1410  
Wilmington, DE 19801

The undersigned counsel further certifies that, on June 25, 2007, she served the foregoing documents by email and by U.S. Mail upon the following counsel:

John N. Zarian  
Samia McCall  
Matthew D. Thayne  
J. Walter Sinclair  
Stoel Rives LLP  
101 S. Capitol Blvd., Suite 1900  
Boise, ID 83702

Vincent K. Yip  
Peter J. Wied  
Jay C. Chiu  
Paul, Hastings, Janofsky & Walker LLP  
515 South Flower Street  
Twenty-Fifth Floor  
Los Angeles, CA 90071

Kenneth R. Adamo  
Robert C. Kahrl  
Arthur P. Licygiewicz  
Jones Day  
North Point  
901 Lakeside Avenue  
Cleveland, OH 44114-1190

Bryan J. Sinclair  
Karineh Khachatourian  
Buchanan Ingersoll & Rooney  
333 Twin Dolphin Drive, Suite 700  
Redwood Shores, CA 94065-1418

/s/ Ashley B. Stitzer, (as3891)  
Ashley B. Stitzer